

LUKAS, NACE, GUTIERREZ & SACHS, LLP

8300 GREENSBORO DRIVE, SUITE 1200
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
BROOKS E. HARLOW*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
—
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*
JEFFREY A. MITCHELL*
ROBERT S. KOPPEL*
MARC A. PAUL*
—

*NOT ADMITTED IN VA

Robert S. Koppel
(703) 584-8669
bkoppel@fcclaw.com

May 18, 2011

FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

**Re: *Ex Parte* Notification
 WC Docket Nos. 09-197 and 11-42**

Madam Secretary:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, we hereby provide you with notice of an *ex parte* presentation made in connection with the above-captioned proceeding.

On Thursday, May 17, 2012, Danny Hyde III, Chief Executive Officer of Budget PrePay, Inc. ("Budget PrePay" or "Company"), David Donahue, Chief Financial Officer of Budget PrePay, together with David LaFuria, Todd Lantor and I, attorneys at Lukas Nace Gutierrez & Sachs, LLP and outside counsel to Budget PrePay, had separate meetings with (1) Christine Kurth, Office of Commissioner McDowell; (2) Michael Steffen, Legal Advisor, Office of Chairman Genachowski and Carol Matthey, Deputy Chief, Wireline Competition Bureau; and (3) Angela Kronenberg, Office of Commissioner Clyburn. Katherine King, an attorney at Kean Miller LLP who also serves as counsel to Budget PrePay, participated by telephone in the meeting with Angela Kronenberg.

The representatives of Budget PrePay discussed the Company's service plans and its focus on brick and mortar stores in low-income communities to best serve Lifeline customers. We also discussed steps the Company has taken to ensure compliance with the FCC's new Lifeline compliance rules.

Marlene H. Dortch, Secretary

March 18, 2012

Page 2

Budget PrePay urged the Commission to expeditiously grant its pending Compliance Plan, first filed on March 1, 2012, and to expeditiously grant its pending ETC Petitions, filed on April 18, 2011.¹ The Company noted that after the FCC released its Lifeline Reform Order certain states required Budget PrePay and other ETC applicants to withdraw their ETC Petitions pending approval by the FCC of their Compliance Plans, and that certain other states prohibited Budget PrePay and other carriers seeking Lifeline-only ETC designations from even filing an ETC Petition until the FCC approves their pending Compliance Plans.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Respectfully submitted,

A handwritten signature in dark ink that reads "Robert S. Koppel". The signature is written in a cursive, slightly slanted style.

Robert S. Koppel
Counsel to Budget PrePay, Inc.

cc: Christine Kurth, Esq.
Michael Steffen, Esq.
Carol Matthey, Esq.
Angela Kronenberg, Esq.

¹ Budget PrePay's application for Florida was filed on August 1, 2011.